

[ADMINISTRATIVE ORDER NO. 53, April 23, 1948]

REMOVING MR. ESTEBAN T. BUMANGLAG FROM THE OFFICE OF JUSTICE OF THE PEACE OF TALIPAO AND MAIMBUNG, PROVINCE OF SULU

This is an administrative case against Mr. Esteban T. Bumanglag, justice of the peace of Talipao and Maimbung, Province of Sulu, on the following charges:

(1) That contrary to standing regulations, the respondent does not reside within his jurisdiction but in the municipality of Jolo;

(2) That in criminal case No. 90 of the Court of First Instance of Sulu against Amirul and Amilasan, for rape, which was tried on March 12, 13 and 19, 1947, the respondent appeared as counsel de parte for the accused; and that despite his absence from his office as justice of the peace on these dates, he collected his salary corresponding thereto by making it appear in his time record that he actually rendered service; and

(3) That in one instance, the respondent demanded and collected the sum of ₱60 from a person who had a case brought in his court.

Although the first charge has been satisfactorily established, in that respondent violated existing regulations, there is, however, no evidence that he neglected his official duties as a result thereof. Drastic disciplinary action for such violation is, therefore, not warranted.

With respect to the second charge, the record shows that in criminal case No. 90 of the Court of First Instance of Sulu against Amirul and Amilasan, for rape, which was tried on March 12, 13 and 19, 1947, the respondent appeared as counsel de parte for the accused. Having acted as such, he had no right to collect, as he did, his salary as justice of the peace of Talipao and Maimbung for the days that he was absent to attend to the trial of the case. This irregularity is aggravated by the fact that to enable himself to collect his salary, he falsified his daily time record so as to show that he was present in his office when in fact he was not. This act of respondent reflects strongly against his honesty and integrity as a public official. However, as it appears that he held office in the morning of March 19, 1947, before leaving his district for Jolo to attend to the continuation of the trial of criminal case No. 90 which was held in the afternoon of said date, he is entitled to his salary for that day, so that only the salary for March 12 and 13, 1947, was illegally collected.

As regards the third charge, it appears that in April, 1947, a daughter of Moro Ambut was forcibly abducted and raped by persons from the municipal district of Talipao. The provincial fiscal to whom the incident was first reported conducted the necessary investigation and thereafter advised Moro Ambut to take all the papers to the respondent for action. Instead of accepting the criminal complaint, the